REMARKS

The application has been amended to place it in condition for allowance at the time of the next Official Action.

Claims 1-21 were previously pending in the application. Claim 22 is added. Therefore, claims 1-22 are presented for consideration.

Independent claims 1, 13, 15 and 18 are amended to remove the term "single" from the claims and to clarify that the data computing device includes a unit of the data computing device and the protecting unit of the data computing device. Support of the amendment can be found at least on page 4, lines 18-20. This amendment is believed to address the claim objection noted on page 2 of the Official Action. Accordingly, withdrawal of the objection is respectfully requested.

Claims 1-18 were rejected under 35 USC §102(e) as being anticipated by SHABTAY et al. 7,093,027. That rejection is respectfully traversed.

Independent claims 1, 13, 15 and 18 are amended to clarify that communication is within a single device.

The official Action offers Edge Switches A and B of SHABATAY as two configurable integrated circuits. However, Edge switches A and B perform a switch-over in data communication between two different data computing devices.

In column 10, lines 40-43 SHABATAY explains this by stating that "Note that the edge switches within the same stack may be in close proximity or may be far apart from each other. For example, each switch may be located in a different multi-tenant dwelling or in different cities or towns".

An edge switch is always a different physical equipment (i.e. different data computing device, please see general definition of this specific art in, for example Wikipedia, which provides that "Edge devices may translate between one type of network protocol and another. For example, ATM networks send data in cells and use connection-oriented virtual circuits. An IP network is packet oriented; so if ATM is used as a core, packets must be encapsulated in cells and the destination address must be converted to a virtual circuit identifier. Edge devices are responsible for handling this conversion. There is an ingress (input) and egress (output) edge device for all connections. A number of techniques have been devised to move IP packets over switched network topologies.) using standardized protocols for providing a connection between them over physical cabling.

In SHABATAY's case the protocol is Ethernet. It is very common that these edge switches are built up using configurable integrated circuits.

However, the method for a switch-over in a network between two edge switches over physical cabling between the DIFFERENT edge Switches using standardized protocols does not meet a switch-over between two different units WITHIN, i.e. INSIDE the same physical equipment, i.e. WITHIN a data computing device e.g. WITHIN an edge switch.

In contrast, the present invention, is directed to a method and device for switch-over INSIDE, i.e. within the data computing device as recited in the independent claims, e.g. INSIDE an edge switch. Such disclosure is NOT a method for switch-over between different edge switches as in SHABATAY.

Rather, WITHIN the same physical equipment (i.e., a data computing device) the connections between the units are provided over a backplane and the connections between the units can be implemented e.g. via a parallel bus, direct serial links or through a separate switch unit by using vendor specific non-standard protocols.

So to signal a switch-over between configurable integrated circuits WITHIN, i.e. INSIDE the same physical equipment is implemented via a totally different method than signaling switch-over in a network between two edge switches, since there is no physical cabling INSIDE the equipment, which

would provide the connection between the units inside a single computing device.

WITHIN, i.e. INSIDE a (single) data computing device there is several options for providing a communication path between different units for signaling switch-over, all up to how the backplane connectivity is designed.

In view of the above, it is apparent that one having ordinary skill in the design engineering art reading SHABATAY's switch-over method, would not understand such method to be based on communication within a (single) device.

New claim 22 further defines claim 1 and is believed to be patentable at least for depending from an allowable independent claim.

Accordingly, it is apparent that SHABTAY does not disclose that which is recited and reconsideration and withdrawal of the rejection are respectfully requested.

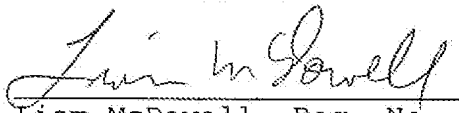
Charge the fee of $50 for the one claim of any type added herewith, to our credit card.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



Liam McDowell, Reg. No. 44,231
209 Madison Street, Suite 500
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

LM/jad/fb